

1
2
3 BILL NO. S-75-11- 22

4 SPECIAL ORDINANCE NO. S- 250-75

5 AN ORDINANCE approving a contract with AMFED
6 SERVICE CORPORATION for Water Contract
7 7510, Walden Addition, Section IV

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
9 WAYNE, INDIANA:

10 SECTION 1. That the contract dated October 23, 1975, between the City
11 of Fort Wayne, by and through its Mayor and the Board of Public Works and AMFED
12 SERVICE CORPORATION, for construction of water main, as follows:

13
14 On Andro Run and Landmark Drive from the existing main east of
15 Bristers Spring Run eastward to Maplecrest Road; also, on Lombard
16 Place from Andro Run eastward to its terminus; also, in an easement
17 from Andro Run northward to Trier Road, all in WALDEN ADDITION,
18 SEC. IV

19 for a total cost of \$34,240.00 of which the City will pay \$3,927.25, all as more par-
20 ticularly set forth in said contract which is on file in the Office of the Board of
21 Public Works and is by reference incorporated herein, made a part hereof and is
22 hereby in all things ratified, confirmed and approved.

23 SECTION 2. This Ordinance shall be in full force and effect from and
24 after its passage and approval by the Mayor.

25
26 
27 Councilman

28
29
30
31
32
33
34 APPROVED AS TO FORM
35 AND LEGALITY,


CITY ATTORNEY

Read the first time in full and on motion by Burns, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on City Utilities (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: _____

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage.
Passed (~~LOST~~) by the following vote:

TOTAL VOTES	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
	<u>8</u>	<u>0</u>		<u>1</u>	
BURNS	✓				
HINGA	✓				
KRAUS				✓	
MOSES	✓				
NUCKOLS	✓				
SCHMIDT, D.	✓				
SCHMIDT, V.	✓				
STIER	✓				
TALARICO	✓				

Date: _____

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution, No. 250-75) on the 25th day of November, 1975.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

James Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of November, 1975, at the hour of 11:00 o'clock A M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 26th day of November, 1975, at the hour of 3:00 o'clock B M., E.S.T.

John H. Lipp
MAYOR

Bill No. S-75-11-22

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance
approving a contract with AMPED SERVICE CORPORATION for Water
Contract 7510, Walden Addition, Section IV

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance as PASS.

Paul M. Burns - Chairman

Donald J. Schmidt - Vice-Chairman

Winfield C. Moses, Jr.

William T. Hinga

Eugene Kraus, Jr.

Paul M. Burns
Donald J. Schmidt
Winfield C. Moses, Jr.
William T. Hinga

DATE 11-25-75 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

board of public works

city-county building

one main street

fort wayne, indiana 46802

October 23, 1975

The Common Council
Fort Wayne, Indiana

RE: Water Contract 7510, Walden Addition, Sec. IV

Gentlemen and Mrs. Schmidt:

The City has entered into a water contract (7510) with Amfed Service Corporation for extension of a water main to serve properties in Walden Addition, Section IV.

The developer will be paying construction and engineering costs in amount of \$30,312.75 on a basis of 4" and 6" main. The City Utility will pay for oversizing costs in amount of \$3,927.25 to allow for further future expansion.

The contractor, Northeastern Construction, is most anxious to complete the project before inclement weather. We are, therefore, requesting a "Prior Approval".

An Ordinance will be submitted for formal approval November 11, 1975.

Sincerely,

BOARD OF PUBLIC WORKS

Carl E. O'Neal

Carl E. O'Neal, Member

CEO:bt

cc: Mayor

Enc: Water Contract

APPROVED:

William T. King *John H. Kelly* *James J. Stue*
William T. King *John H. Kelly* *James J. Stue*
William T. King *John H. Kelly* *James J. Stue*

MEMBERS OF THE COMMON COUNCIL

ATTEST:

Charles W. Whitman
City Clerk

AN EQUAL OPPORTUNITY EMPLOYER



THIS AGREEMENT, made and entered into this 23rd day of October, 1975, by and between AMFED SERVICE CORPORATION, hereinafter called Contributor and the Fort Wayne Water Utility of the City of Fort Wayne, Indiana, by and through the Board of Public Works of said City, hereinafter called Utility, WITNESSETH:

That the said Contributor and the said Utility for the considerations hereinafter named, agree as follows:

1. That the Utility and the Contributor shall proceed dependent upon procurement of materials and labor and with reference to other similar work of said parties to construct 2,115+ feet of 4", 6" and 12" water main, including all necessary fittings as follows:

On Andro Run and Landmark Drive from the existing main east of Bristers Spring Run eastward to Maplecrest Road; also, on Lombard Place from Andro Run eastward to its terminus; also, in an easement from Andro Run northward to Trier Road, all in WALDEN ADDITION, SEC. IV.

2. That said water main system shall be constructed according to the standards, plans and specifications of the Utility and that said Utility shall furnish water thru said main when completed, in accordance with the rules and regulations of said Utility, and the laws, ordinances and regulations applicable thereto, now in force, or that may hereafter be adopted.

It is, however, understood and agreed that the Utility will not furnish water thru any part or parts of the water main covered hereunder unless and until the entire main shall have been tested, disinfected and placed in service and accepted by said Utility.

3. It is understood and agreed by and between the parties of this contract that the Contributor shall furnish all materials, contractual labor and equipment for the construction of said water main through NORTHEASTERN CONSTRUCTION CO., INC., at a cost of THIRTY THOUSAND ONE HUNDRED FIFTEEN (\$30,115) DOLLARS, and that said Utility shall supply the necessary labor for inspection, pressure testing, disinfection, engineering and labor and materials to install one (1) 8" x 6" connection and one (1) 12" x 12" connection to existing mains at a cost of FOUR THOUSAND ONE HUNDRED TWENTY FIVE (\$4,125) DOLLARS. Therefore, the total cost of said water main is THIRTY FOUR THOUSAND TWO HUNDRED FORTY (\$34,240) DOLLARS. It is further understood and agreed by and between the parties of this contract that the said Contributor shall bear the cost of the water main on the basis of 4" and 6" main, the cost of which is TWENTY SIX THOUSAND ONE HUNDRED EIGHTY SEVEN AND 75/100 (\$26,187.75) DOLLARS, and which amount is the contract price of this Agreement. Therefore, it is agreed that upon completion and acceptance of said water main system by said Utility, the Utility will pay to said Contributor the difference between the cost of materials, contractual labor and equipment as supplied by the Contractor, as referred to above and the contract price of this Agreement, said difference being THREE THOUSAND NINE HUNDRED TWENTY SEVEN AND 25/100 (\$3,927.25) DOLLARS.

4. The Utility may approve the extension of additional water mains from the water main covered in this Contract without incurring any financial obligations to the Contributor under this contract.
5. It is further understood and agreed that, upon completion and acceptance by the Utility, the water main and fittings installed under this Contract shall form and be a part of the water works system of said Utility, and that all rights, title, and interest whatsoever, shall at all times be and remain in the City of Fort Wayne, Indiana

WITNESS THE HANDS AND SEAL of said parties the day and year are first above written.

FORT WAYNE WATER UTILITY

BY: 

Mayor

BOARD OF PUBLIC WORKS:


Chairman

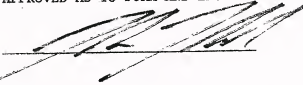

Member


Member

ATTEST:

Clerk

APPROVED AS TO FORM AND LEGALITY:



AMFED SERVICE CORPORATION

BY: 

Roger A. Steup, Secretary

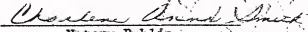
This Instrument Prepared by:
D. L. Foland, P.E.


ACKNOWLEDGMENT

STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)

BEFORE ME, a Notary Public, in and for said County and State, this
30th day of September, 1975, personally appeared the within
named Roger A. Steup, who being by me first duly sworn upon his oath
that he is the Secretary of AMPED SERVICE CORPORATION, and as such,
duly authorized to execute the foregoing instrument and acknowledged
the same as the voluntary act and deed for the uses and purposes therein
set forth.

IN WITNESS WHEREOF, hereunto subscribed my name, affixed my official
seal.


Notary Public
Charlene Anna Smith



My Commission Expires: July 11, 1978

ACKNOWLEDGMENT

STATE OF INDIANA)
)ss:
COUNTY OF ALLEN)

BEFORE ME, a Notary Public, in and for said County and State, this _____ day of _____, 1975, personally appeared the within named IVAN A. LEBAMOFF, Mayor of the City of Fort Wayne; JERRY D. BOSWELL, CARL O'NEAL, and BETTY LOU NAULT, members of the Board of Public Works, City of Fort Wayne, Indiana; EDNA I. SMITH, Clerk of the Board of Public Works, City of Fort Wayne, Indiana, to me personally known, who being by me duly sworn said that they are respectively the Mayor of the City of Fort Wayne, the Members and Clerk of the Board of Public Works of the City of Fort Wayne, Indiana, and that they signed said instrument on behalf of the FORT WAYNE WATER UTILITY of the City of Fort Wayne, Indiana, with full authority so to do and acknowledged said instrument to be the voluntary act and deed of said Department of said City for the uses and purposes therein set forth.

IN WITNESS WHEREOF, hereunto subscribed my name, affixed my official seal.

Notary Public

My Commission Expires:

DIGEST SHEET

TITLE OF ORDINANCE Special Ordinance

DEPARTMENT REQUESTING ORDINANCE Board of Public Works

SYNOPSIS OF ORDINANCE Provides for construction of water main in Walden Addition, Section IV with the City paying cost of main oversizing to allow for future expansion.

TOTAL COST - \$34,240.00

Paid to contractor by contributor - \$26,187.75

Utility engineering provided - \$ 4,125.00

Utility cost for oversizing - \$ 3,927.25

SEE PRIOR APPROVAL AND CONTRACT ATTACHED

EFFECT OF PASSAGE Service to new Utility customers

EFFECT OF NON-PASSAGE Failure to provide adequate size pipe for expanded service.

SEE PRIOR APPROVAL

MONEY INVOLVED (Direct Costs, Expenditures, Savings) Cost to Utility of \$3,927.25

ASSIGNED TO COMMITTEE City Utilities J.S.